
Local Rule 25.1 Case Management/Electronic Case Filing (CM/ECF)
[Effective January 20, 2010]

(a) Definitions and Scope.

(1) Definitions.

- (A) Document.** “Document” means any paper submitted to the court in a case.
- (B) PDF.** “PDF” means the electronic version, in Portable Document Format, of a document submitted to the court.
- (C) Initiating Document.** “Initiating document” means any document, including a petition for review of an agency decision, petition for a writ of mandamus, successive habeas petition, or motion for leave to file an appeal, filed directly in this court to initiate a proceeding seeking consideration by this court.
- (D) Filing User.** “Filing User” means anyone who registers to file electronically under (b).
- (E) Sealed Document.** “Sealed document” means all or any portion of a document placed under seal by order of a district court or an agency or by order of this court upon the filing of a motion.

- (2) Scope.** This rule applies to all appeals filed on or after January 1, 2010 (i.e., appeals with a docket number beginning with “10-” or higher).

(b) Registration.

- (1) Attorneys.** An attorney admitted to practice in this court must register as a Filing User with PACER, the service that provides on-line access to United States appellate, district, and bankruptcy court records and documents nationwide.
- (2) Pro se parties.** A pro se party who wishes to file electronically must seek permission from the court by filing the court’s CM/ECF Pro Se Filing User

Request Form available on the court's website. A pro se party must register as a Filing User with PACER as soon as practicable after receiving permission from the court to file electronically.

(c) Electronic Filing Requirements.

- (1) Documents Other than Initiating Documents.** A Filing User must file every document, other than an initiating document, electronically in PDF in accordance with the CM/ECF instructions posted on the court's website.
- (2) Initiating Documents.** A Filing User must file an initiating document in PDF by emailing it to <newcases@ca2.uscourts.gov>.

(d) Timing of Electronic Filing.

- (1) Documents Filed in CM/ECF.** A document filed electronically in CM/ECF is considered filed as of the date and time indicated on the notice of docket activity ("NDA") that the court automatically generates following the filing transmission.
- (2) Initiating Documents.** An initiating document filed electronically under (c)(2) is considered filed as of the date and time indicated on the email submission.
- (3) Technical Failure.** Upon motion, the clerk may deem a document untimely filed as the result of a technical failure to be timely filed.

(e) Format. A PDF must be text-searchable. A PDF need not include a manual signature.

(f) Signature. A Filing User's personal log-in and password constitute the Filing User's signature for any purpose for which a signature is required.

(g) Filing of Paper Copies.

- (1) Brief and Appendix.** In addition to filing a brief and appendix electronically under this rule, a Filing User must separately submit the requisite number of paper copies prescribed under LR 30.1(b) and 31.1.
- (2) Other Documents.** Unless the clerk requests, a Filing User must not submit a paper copy of a document, other than a brief or an appendix.

(h) Service.

- (1) Acceptance of Service.** Registration as a Filing User constitutes consent to electronic service of all documents.

- (2) **Documents Filed in CM/ECF.** A document filed in CM/ECF is deemed served upon another Filing User when that Filing User receives the NDA.
 - (3) **Initiating Documents.** A Filing User must serve an initiating document on another Filing User by email.
 - (4) **Paper Copies.** Service of a paper copy of a document is not required unless the recipient is not a Filing User and has not consented to other service.
- (i) **Hyperlinks.** A document filed under this rule may contain hyperlinks to (i) other portions of the same document or to other documents filed on appeal; (ii) documents filed in the lower court or agency from which the record on appeal is generated; and (iii) statutes, rules, regulations, and opinions. A hyperlink to a cited authority does not replace standard citation format.
- (j) **Exemptions.**
- (1) **Counsel.** Upon motion and a showing of extreme hardship or exceptional circumstances, the clerk may exempt counsel in a particular case from the electronic filing requirements. If the clerk grants counsel an exemption, the clerk will determine the manner of filing and service.
 - (2) **Sealed Documents.** A sealed document or a document that is the subject of a motion to seal is exempt from the electronic filing requirement and must be filed with the clerk in the manner the court determines.
 - (3) **Oversized Documents.** A document that exceeds 10 megabytes in size and cannot be reasonably divided into multiple attachments in accordance with the CM/ECF instructions posted on the court’s website is exempt from the electronic filing requirement. The oversized document qualifying for the exemption must be filed on CD or DVD.

Interim Local Rule 25.2 Submission of PDF Documents

(a) **Definitions and Scope.**

- (1) **Definitions.** For the purpose of this interim rule, the following definitions apply:
 - (A) “Document” means any paper (including any letter or motion) submitted to the court, other than an appendix as covered in (h).
 - (B) “PDF” has the same meaning as defined in LR 25.1(a)(1)(B).

- (2) **Scope.** This rule applies to all appeals filed before January 1, 2010 (i.e., appeals with a docket number beginning with “09-” or lower), and any other appeal in which counsel is exempt from filing electronically or a pro se party does not file electronically under LR 25.1.

(b) **PDF Requirement.**

- (1) **Counseled Parties.** In addition to filing the required number of paper copies, a counseled party must submit a PDF of every document unless counsel explains why submitting a PDF of the particular document would constitute extreme hardship.

- (2) **Pro Se Parties.** A party not represented by counsel is encouraged, but not required, to submit a PDF of every document, in addition to filing the required number of paper copies.

- (3) **Format.** Each PDF must be text-searchable. A PDF need not include a manual signature.

(c) **Email Submission.** A party must email a PDF to the electronic mailbox designated in (d).

- (1) **Email Subject Line.** The email must include the following information in the header’s “Subject” or “Re” line:

- (A) the docket number; if a docket number has not yet been assigned, the (i) the name of the district court or agency appealed from, and (ii) the district court docket or agency number;
- (B) the party’s name;
- (C) the party’s designation in the case (e.g., appellant, petitioner);
- (D) the type of document (e.g., form, letter); and
- (E) the date of submission.

Example of a proper subject line:

01-2345-cv, ABC Corp, Appellant, Letter, 01/02/09.

- (2) **Single Email Per Submission.** When a party submits a set of documents that are intended to be considered together, the party must submit the PDFs of all those

documents in a single email.

- (3) **Single PDF for Motion.** A party submitting a motion must incorporate the T-1080 Motion Information Statement, the memorandum of law, and all supporting documents into a single PDF.

(d) **Electronic Mailboxes.**

- (1) **New Cases.** In new cases in which the circuit clerk has not yet issued a docketing notice, a counseled party must, and a pro se party may, submit a PDF to [<newcases@ca2.uscourts.gov>](mailto:newcases@ca2.uscourts.gov).
- (2) **Cases Involving Only Counseled Parties.** After the clerk has issued a docketing notice in a case involving only counseled parties, a counseled party must submit a PDF to the appropriate electronic mailbox, as determined by the two-letter case-type code at the end of the docket number, and subject to the following descriptions:
- (A) ag, bk, op – [<agencycases@ca2.uscourts.gov>](mailto:agencycases@ca2.uscourts.gov) – cases in which all parties have counsel and that involve an administrative agency, board, commission or office; tax court; bankruptcy; or original proceedings;
- (B) cr – [<criminalcases@ca2.uscourts.gov>](mailto:criminalcases@ca2.uscourts.gov) – criminal cases in which all parties have counsel;
- (C) cv – civil cases
- (i) [<agencycases@ca2.uscourts.gov>](mailto:agencycases@ca2.uscourts.gov) – civil cases in which all parties have counsel and one party is the United States or an official or agency of the United States;
- (ii) [<civilcases@ca2.uscourts.gov>](mailto:civilcases@ca2.uscourts.gov) – all other civil cases in which all parties have counsel; and
- (D) pr – [<priscases@ca2.uscourts.gov>](mailto:priscases@ca2.uscourts.gov) – prisoner cases.
- (3) **Cases Involving a Pro Se Party.** After the clerk has issued a docketing notice in a case involving one or more pro se parties, a counseled party must, and a pro se party may, submit a PDF to: [<prosecases@ca2.uscourts.gov>](mailto:prosecases@ca2.uscourts.gov), except that in a case involving a pro se prisoner, a counseled party must, and a pro se party may, submit a PDF to [<priscases@ca2.uscourts.gov>](mailto:priscases@ca2.uscourts.gov).

- (e) **Time for Email Submission.** A party must email the PDF no later than the time for filing the required paper copies.
 - (f) **Corrections.** If a party corrects a document that has been submitted as a PDF, the party must also email a corrected PDF. The email subject line must identify the document as a corrected version and set forth the information required in (c)(1) with the submission date of the corrected version.
 - (g) **Email Service.** A party submitting a PDF must also email it to all counseled parties and to pro se parties who have submitted PDFs.
 - (h) **PDF Submission of Appendices.** In addition to filing the required number of paper copies, a counseled party must submit and serve on all parties a text-searchable PDF of every appendix on CD or DVD, unless counsel explains why submitting a PDF of the appendix would constitute extreme hardship. A party not represented by counsel is encouraged, but not required, to submit and serve a PDF of the appendix on CD or DVD, in addition to filing the required number of paper copies.
 - (i) **PDF Not Provided; Unbound Copy Required.** A party who does not provide a PDF must file with the clerk one unbound copy of each document. The party may not staple or otherwise attach the unbound copy, but may use clips or rubber bands. When a party files only the original document and no copies, the original must be unbound.
-
-

Local Rule 25.3 Additional Paper Copies

When the clerk requests, a party must provide additional paper copies of any document filed.